

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF ILLINOIS**

SAROYA ROBERSON, OLABISI BODUNDE,  
and NICHOLLE HEADLEY, individually, and on  
behalf of all others similarly situated,

Plaintiffs,

v.

MAESTRO CONSULTING SERVICES LLC,  
INDIVIDUALLY AND D/B/A SYMPHONY  
POST ACUTE NETWORK, SYMPHONY  
SYCAMORE LLC D/B/A SYMPHONY  
SYCAMORE VILLAGE, SYMPHONY  
BEVERLY, LLC D/B/A SYMPHONY AT 87TH  
STREET, SYMPHONY BRONZEVILLE PARK,  
LLC D/B/A SYMPHONY OF BRONZEVILLE  
PARK, SYMPHONY OF EVANSTON  
HEALTHCARE, LLC D/B/A SYMPHONY OF  
EVANSTON, SYMPHONY PARK SOUTH, LLC  
D/B/A SYMPHONY OF MORGAN PARK,  
SYMPHONY SOUTH SHORE, LLC D/B/D  
SYMPHONY OF SOUTH SHORE, and DOE  
DEFENDANTS 1-100,

Defendants.

Case No. 3:20-cv-00895

**DEFENDANTS' RULE 12(B)(6) MOTION TO DISMISS THE SECOND AMENDED  
CLASS ACTION COMPLAINT**

Defendants Maestro Consulting Services LLC, Symphony Sycamore LLC, Symphony Beverly, LLC, Symphony Bronzeville Park, LLC, Symphony of Evanston Healthcare, LLC, Symphony Park South, LLC, and Symphony South Shore, LLC hereby request dismissal of the Second Amended Complaint on the following grounds:

1. With the exception of Roberson's claim against her former employer—Defendant Symphony Sycamore, LLC—Defendants seek dismissal of Plaintiffs' claims under Rule 12(b)(6) on statute of limitations grounds. (*See* Defs.' Br., Argument Section I)

2. In addition, Defendants seek dismissal of all Plaintiffs' claims under Rule 12(b)(b) because the Complaint contravenes Rule 8 by impermissibly lumping all Defendants together as to virtually all substantive allegations and otherwise failing to allege facts sufficient to state plausible claims. (*See* Defs.' Br., Argument Section II)

WHEREFORE, Defendants request, for the reasons set forth more fully in their accompanying memorandum, that the Court enter an Order dismissing Plaintiffs' claims on the bases asserted above.

DATED: January 19, 2021

Respectfully submitted,

By: /s/ Joseph A. Donado

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***Attorneys for Defendants***

**CERTIFICATE OF SERVICE**

I, Joseph A. Donado, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing **DEFENDANTS' RULE 12(B)(6) MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**, to be served upon the counsel of record via the Court's electronic notification system on this 19th day of January 2021.

/s/ Joseph A. Donado